

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WINNEMUCCA INDIAN COLONY et al.,)

Plaintiffs,)

vs.)

UNITED STATES OF AMERICA ex rel.)
DEPARTMENT OF THE INTERIOR et al.,)

Defendants.)

3:11-cv-00622-RCJ-VPC

ORDER

This case arises out of the refusal of the Bureau of Indian Affairs (“BIA”) to recognize a tribal government of the Winnemucca Indian Colony, an Indian sovereign recognized by Congress. The proceedings have been acrimonious. In summary, the Court has ordered the BIA to recognize Thomas Wasson as the interim Chairman pending finalization of tribal enrollment and elections and any appeals thereof to the Indian courts. Plaintiff has now moved for summary judgment based upon the election results, but Defendants challenge the results and oppose summary judgment. Defendants have asked the Court to hold a status conference and to give them time thereafter to oppose the pending motion for summary judgment. The Court grants the motion. The Court notes for the benefit of the parties going forward that the present motion for summary judgment has little chance of success, as this Court’s role vis-a-vis the tribal enrollment and election issues is only to recognize and give effect to authoritative Indian court rulings pertaining thereto. The merits of enrollment and election issues must be litigated in the tribal courts.

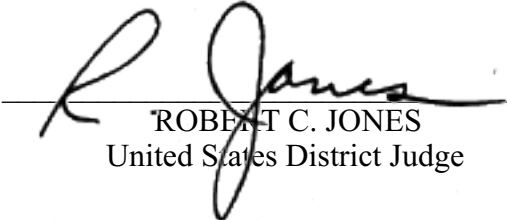
CONCLUSION

IT IS HEREBY ORDERED that the Motion for Status Conference and Extension of Time (ECF No. 197) is GRANTED. A status conference is set on the 9:00 a.m. stacked calendar on January 2, 2014 in Courtroom 6 of the Bruce R. Thompson Courthouse in Reno, Nevada. Responses to the pending Motion for Summary Judgment (ECF No. 190) will then be due on February 1, 2014.

IT IS FURTHER ORDERED that the other pending Motions for Extension of Time (ECF Nos. 195, 196) are DENIED as moot.

IT IS SO ORDERED.

Dated this 16th day of December, 2013.


ROBERT C. JONES
United States District Judge